



CITY OF MEMPHIS

COUNCIL AGENDA

July 19, 2016

Public Session Tuesday, 3:30 p.m.

Council Chambers, First Floor, City Hall

125 North Main Street

Memphis, Tennessee 38103-2017

CALL TO ORDER by the Sergeant-at-Arms

INVOCATION

Any invocation that may be offered before the official start of the Council meeting shall be the voluntary offering of a private citizen, to and for the benefit of the Council. The views or beliefs expressed by the invocation speaker have not been previously reviewed or approved by the Council and do not necessarily represent the religious beliefs or views of the Council in part or as a whole. No member of the community is required to attend or participate in the invocation and such decision will have no impact on their right to actively participate in the business of the Council. Copies of the policy governing invocations and setting forth the procedure to have a volunteer deliver an invocation are available upon written request submitted to the Council Administrator of the Memphis City Council.

PLEDGE OF ALLEGIANCE

CALL OF ROLL by the Comptroller

APPROVAL OF PREVIOUS MEETING MINUTES (July 5, 2016)

ANNOUNCEMENT FOR APPEARANCE CARDS FOR PUBLIC SPEAKING

ITEMS HELD OR DROPPED FROM THE AGENDA

PRESENTATION AND RECOGNITION OF VISITORS

1. RESOLUTION approving an honorary street name change of Tulane Road between Holmes and Windsor Roads for Pastor Aaron Campbell, Jr. This resolution is sponsored by Councilwoman Robinson. (Held from 6/7)

ACTION REQUESTED: Adopt the resolution

PUBLIC HEARINGS (None)

DIVISION OF PLANNING AND DEVELOPMENT

2.
Colvett
Chairman,
Planning &
Zoning
Committee

RESOLUTION approving a street/alley closure located between N. Main and N. 2nd Streets, containing 14,394± Sq. Ft./0.33± acre, in the Public right-of-way abutting property zoned Mixed Use (MU) district.

Case No. SAC 16-08

Applicants: Pinch Partners Investment, Co.
Solomito Land Planning – Brenda Solomito Basar-
Representative

Request: Resolution to close and vacate public right-of-way within the
Uptown Special Purpose District

LUCB and OPD recommendation: APPROVAL, with conditions

ACTION REQUESTED: Take whatever action Council deems advisable

No Opposition at LUCB; No Public Hearing Required

3.
Colvett
Chairman,
Planning &
Zoning
Committee

RESOLUTION approving a street/alley closure located between Jackson Avenue and Interstate 40, containing 5,500± Sq. Ft./0.126± acre, in the Public right-of-way abutting property zoned Mixed Use (MU) district.

Case No. SAC 16-09

Applicants: Pinch Partners Investment Co.
Solomito Land Planning – Brenda Solomito Basar –
Representative

Request: Resolution to close and vacate public right-of-way within the
Uptown Special Purpose District

LUCB and OPD recommendation: APPROVAL, with conditions

ACTION REQUESTED: Take whatever action Council deems advisable

No Opposition at LUCB; No Public Hearing Required

ZONING ORDINANCE – THIRD AND FINAL READING (None)



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CONSENT AGENDA

GENERAL ORDINANCE - FIRST READING

4. **ORDINANCE** to amend Ordinance No. 5515 Relative to Operation and Maintenance of Street Lights and other public safety measures within the Corporate Limits of the City and authorizing the Board of Commissioners of the Memphis Light Gas and Water Division to make a schedule of rates or fees for street lighting and other public safety measures for approval by the Council in accordance with the procedures set forth in Section 680 of the Charter, up for F I R S T reading. Ordinance No. 5625 is sponsored by Councilwoman Robinson.
- Robinson
Chairman,
MLG&W
Committee

ACTION REQUESTED: Adopt the ordinance on First reading

GENERAL ORDINANCE - SECOND READING (None)

ZONING ORDINANCE - FIRST READING (None)

ZONING ORDINANCE - SECOND READING (None)

ENGINEERING

5. **RESOLUTION** approving final plat of GRACELAND WEST PD, PHASE 2.
Case No. PD 15-323
Contract No. CR-5240

Resolution approves the final plat located at the northwest corner of Clark Rd. and Elvis Presley Blvd. Cost of the required improvements to be borne by the developer. Resolution also authorizes the proper officials to execute the attached standard improvement contract.

City Engineer recommends approval

ACTION REQUESTED: Adopt the resolution

NOTATIONS FROM OPD (None)



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MLGW FISCAL CONSENT

6. RESOLUTION awarding a contract to CS3, Inc., for MLGW's Heating Ventilation & Air Conditioning (HVAC) control system upgrade, in the amount of \$57,825.00.
7. RESOLUTION awarding a contract to H & E Equipment Services, for pole trailers, in the amount of \$61,460.00.
8. RESOLUTION approving Change No. 2 to Contract No. 11679, MLGW Gas Transmission Right-of-Way Mowing, with Bean and Prince Contractors, Incorporated, in the funded amount of 2,512.00. (This change is to renew the current contract for the second of four annual renewal terms covering the period August 12, 2016 through August 11, 2017, with no increase in rates from the previous year.)
9. RESOLUTION awarding Contract No. 11903, Electric Meter Socket Replacement, to Gilles Electric, in the funded amount of \$70,000.00 based on unit prices.
10. RESOLUTION approving and ratifying, after the fact without prior approval, the award of Contract No. 11904, Electric Meter Socket Replacement, to Quantum Electric, based on unit prices in the funded amount of \$91,000.00. (MLGW executed Contract 11904 with Quantum Electric on June 10, 2016 without prior approval to be able to remedy any hazardous or unsafe electric meter sockets found on customer residences during the installation of electric meters. Previously, MLGW was contracted with two companies to provide these services. One contractor died suddenly earlier this year and the other contractor exhausted the funds awarded under its' contract, leaving MLGW without a contractor to install electric meter sockets and make wiring repairs.)
11. RESOLUTION approving the ratification, after the fact, of an invoice payment and the approval of additional invoice payments on Agreement No. C1906, Electric Meter Socket Replacement, with Gilles Electric, in the funded amount of \$4,675.00. (The initial term of the contract was 12 months from the date of the Notice to Proceed. This change is to ratify and approve after the fact the payment of invoice number 2112 in the amount of \$1,125.00 made in excess of the contract value. This change is also to approve the payment of invoice numbers 2113, 2114, and 2115 in the cumulative amount of \$3,555.00 for work performed over the approved contract value for a total amount of \$4,675.00.)
12. RESOLUTION awarding a contract for digital fault recorders to Mehta Tech, Inc., in an amount not to exceed \$450,000.00.

13. RESOLUTION awarding a contract to C.I. Agent Solutions, for a secondary oil containment system, in the amount of \$52,884.40.
14. RESOLUTION approving the execution of an Agreement Regarding the Sale of Certain Water Infrastructure Assets, Contract No. 11910, between MLGW and the Town of Collierville, providing for the sale to Collierville of certain of MLGW's water infrastructure assets within the reserve area annexed by Collierville, effective December 31, 2011, for a purchase price of \$143,299.91.
15. RESOLUTION awarding Contract No. 11852, Internet Service Provider, to Level 3 Communications, in the funded amount not-to-exceed \$84,351.60.



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REGULAR AGENDA

16.

Spinosa

Chairman,

Personnel,

Intergovern-
mental &

Annexation
Committee

APPOINTMENTS

CIVILIAN LAW ENFORCEMENT REVIEW BOARD

Appointment

Casey Bryant

MEMPHIS & SHELBY COUNTY DOWNTOWN MEMPHIS COMMISSION

Appointment

Julie Ellis

MEMPHIS YOUTH GUIDANCE COMMISSION

Appointments

Anthony Milton

Brenda Taylor

GENERAL ORDINANCES – THIRD AND FINAL READING

17.

Conrad

Chairman,

Executive

Session

ORDINANCE designating and approving various uses and purposes for the City's Park, known as Overton Park pursuant to Section 579.1 of the Charter and to ratify the March 1, 2016 Memphis City Council resolution designating and approving various uses and purposes for the City's Park, known as Overton Park as modified by this Ordinance Nunc Pro Tunc to the effective date of resolution, up for T H I R D and F I N A L reading. Ordinance No. 5618 is sponsored by Chairman Conrad. (Held from 5/17; 7/5)

ACTION REQUESTED: Take whatever action Council deems advisable

18. **REFERENDUM ORDINANCE** amending Article 65, Section 691 and 693 of the Charter of the City of Memphis, same being Chapter 11 of the Acts of 1979, Pursuant to the provisions of Article 11, Section 9 of the Constitution of the State of Tennessee Home Rule Amendment relative to distribution of payments in Lieu of Taxes by MLGW to the City of Memphis, up for T H I R D and F I N A L reading. Ordinance No. 5622 is sponsored by Councilman Ford.
- Robinson
Chairman,
MLGW
Committee

ACTION REQUESTED: Take whatever action Council deems advisable

19. **REFERENDUM ORDINANCE** amending Article 27, Section 190 of The Charter of the City of Memphis same being Chapter 11 of the Acts of 1879, Pursuant to the provisions of Article 11, Section 9 of the Constitution of the State of Tennessee Home Rule Amendment so as to require that All Employees must live and maintain a Residence within the boundaries of the City of Memphis, Tennessee, up for T H I R D and F I N A L reading. Ordinance No. 5623 is sponsored by Councilman Jones.
- Conrad
Chairman,
Executive
Committee

ACTION REQUESTED: Take whatever action Council deems advisable

20. **ORDINANCE** to amend the Council Meeting dates for August 2016 only, from the first and third Tuesday to the second and fourth Tuesday in August, up for T H I R D and F I N A L reading. Ordinance No. 5624 is sponsored by Councilman Ford.
- Conrad
Chairman,
Executive
Committee

ACTION REQUESTED: Take whatever action Council deems advisable

ENGINEERING DIVISION (None)

EXECUTIVE DIVISION (None)

FINANCE & ADMINISTRATION (None)

DIVISION OF FIRE SERVICES

21. **RESOLUTION** accepting a donation of (130) heated jackets, from SouthPoint Church with a value of \$26,000.00. This resolution is sponsored by Fire Services.
- Morgan
Chairman,
Public Safety
& Homeland
Security Committee

ACTION REQUESTED: Adopt the resolution

DIVISION OF GENERAL SERVICES (None)

DIVISION OF HOUSING AND COMMUNITY DEVELOPMENT (None)

DIVISION OF HUMAN RESOURCES

22. RESOLUTION encouraging the Mayor's administration to proceed in FY2017 with the talent management strategy with the purpose to attract, develop, equip and retain Public Safety and top talent for the City of Memphis. This resolution is sponsored by Councilman Ford, Councilwoman Robinson and Chairman Conrad.
- Spinosa
Chairman,
Personnel,
Intergovernmental
& Annexation
Committee
- ACTION REQUESTED: Adopt the resolution

INFORMATION SERVICES (None)

LAW DIVISION (None)

MLGW DIVISION (None)

DIVISION OF PARKS AND NEIGHBORHOODS (None)

DIVISION OF POLICE SERVICES (None)

DIVISION OF PUBLIC WORKS

23. RESOLUTION approving an extension to the Pidgeon Industrial Park Lease Agreement with the City of Memphis Public Works Division as approved by the Board of Commissioners of the Memphis and Shelby County Port Commission on June 15, 2016. This resolution is sponsored by Port Commission.
- Hedgepeth
Chairman,
Public Works,
Transportation &
General Services
Committee
- Contract No. CR-5239
- ACTION REQUESTED: Adopt the resolution

GENERAL ITEM (None)

APPEARANCE CARDS FOR PUBLIC SPEAKING

ADJOURNMENT

ADD-ONS

24. RESOLUTION strongly recommending the appointment of Interim Director, Mike Spinoso Rallings, for the Director of Police. This resolution is sponsored by Councilman Ford and Councilman Hedgepeth.

Chairman,
Personnel,
Intergovernmental & Annexation
Committee

ACTION REQUESTED: Adopt the resolution

25. RESOLUTION transferring the City of Memphis' Americorps Vista Program from the Executive Division to the Human Resources Division and to also establish the appropriate funding for the cost of the program including the creation of a Vista Coordinator position, that will serve as a Program Manager, in the amount of \$138,636.00. This resolution is sponsored by Human Resources Division.

Chairman,
Personnel,
Intergovernmental & Annexation
Committee

ACTION REQUESTED: Adopt the resolution

26. RESOLUTION creating the Memphis City Crime Prevention and Intervention Task Force. This resolution is sponsored by Councilwoman Swearengen.

Morgan
Chairman,
Public Safety & Homeland
Security Committee

ACTION REQUESTED: Adopt the resolution

27. RESOLUTION transferring and appropriating funds in the Contract Construction from PK07114, Parks Cover Liner to Contract Construction in PK07092, City Park Rehab and Maintenance, in the amount of \$312,700.00, funded by G.O. Bonds General. This resolution is sponsored by Park Services.

Swearengen
Chairman,
Parks
Committee & Environment
Committee

ACTION REQUESTED: Adopt the resolution

28. RESOLUTION approving \$6,500,000.00 for fiscal year 2017 CIP that funds the paving operations performed by Public Works or directly by the Street Maintenance department. This resolution is sponsored by Public Works Division.

Hedgepeth
Chairman,
Public Works,
Transportation & General Services
Committee

ACTION REQUESTED: No Recommendation

29. RESOLUTION supporting the Implementation of a Parking Plan for Overton Park and the recommendation of the portions of the Overton Park Greensward that may be used for Zoo purposes only. This resolution is sponsored by Councilman Morrison.

Conrad
Chairman,
Executive
Session

ACTION REQUESTED: Adopt the resolution

ACTION TAKEN BY COUNCIL ON THIS DATE

1. Through 16 – Approved
17. Dropped
18. Approved, as amended
19. Held until August 9, 2016
20. Through 27 – Approved
28. Sent Back to Committee on August 9, 2016
29. Approved

ACTION TAKEN BY COUNCIL ON THE MINUTES OF JULY 5, 2016 MEETING

Approved

ACTION TAKEN BY COUNCIL ON THE MINUTES OF ITEMS #20, #24, #25, #26, #27, & #29 FROM TONIGHT'S MEETING

Approved